



File No: 24120-11

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gregory Allen

Art Unit: 2876

Serial No.: 10/004,546

Examiner: CAPUTO, Lisa M.

Filed: December 5, 2001

**For: Electronic Information Delivery System and Process Including Supplying of Information About Locations Visited While Travelling and at Contained Events**

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 2233-1450

**DECLARATION UNDER 37 C.F.R. § 1.131**

Sir:

I, Gregory Allen, declare as follows:

1. I am the sole inventor of the claimed invention in the above-referenced ~~patent~~ <sup>8</sup> patent application. I submit this Declaration in order to establish a date of invention prior to the January 23, 1998 filing date of the Hohle et al. Patent of U.S. Patent 6,101,477, a reference cited during the examination of the patent application.

2. Prior to January 23, 1998, I conceived of the invention as described in the claims set forth in the patent application, and with due diligence from prior to January 23, 1998 to the filing of this application I undertook efforts to reduce the invention to practice. There is an absence of detailed evidence that establishes conception of the particular invention claimed in the present application prior to January 23, 1998, since, as an artist, it has been my style and practice to not retain written notes and also to generally use a chalk-board (or equivalent) during the course of my

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thought process. As stated above, I am an artist, not an engineer or scientist, and have generally not maintained dated notebooks or other dated materials. Moreover, until recently, I was not aware of the benefit of maintaining dated notes and could not have imagined the value of doing so. However, there are exceptions and occasionally I keep notes. In regard to the general concept of the invention in this application, attached are copies of some notes pertaining to some general aspects, although, such notes, by themselves, do not definitively establish conception of the invention claimed in the present application. Nevertheless, these notes were taken prior to January 23, 1998, and it was during the course of the conception of that identified in these notes that I also conceived of the particular invention claimed in the present application. Unfortunately, at the present time, I have not been able to find additional notes that support this declaration. In any event, I hope this declaration, along with the attached documentary evidence, is sufficient to antedate the January 23, 1998 filing date of the Hohle et al. Patent (U.S. Patent 6,101,477), as mentioned above.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: New York, New York  
August 22, 2003

By:

Gregory Allen  
Applicant